

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Charles R. Stewart, et al.

Application No.: Not Yet Assigned

Confirmation No.:

Filed: To be filed

Art Unit: N/A

For: ANTI-MICROBIAL PROTEINS FROM THE  
SPO1 BACTERIOPHAGE

Examiner: Not Yet Assigned

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**DECLARATION PURSUANT TO 37 C.F.R. 1.821(f)**


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Michael D. Berger, declare as follows:

1. That the content of the paper, compact disc, and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. 1.821(c) and (e), respectively, and PCT Rule 5.2, are the same in compliance with 37 C.F.R. 1.821(f).
2. That all statements made herein of my own knowledge are true and that all statements were made on information and belief and are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: February 6, 2004

  
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